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To: The Honorable Myra Crownover, Chair, House Committee on Public Health
Members, House Committee on Public Health

Subj: CSSB(2) 538 – relating to the control of infectious diseases

The Texas Association of City & County Health Officials (TACCHO) appreciates the work of Senator Schwertner, the Senate Committee on Health & Human Services (Senate Committee) and the Texas Task Force on Infectious Disease Preparedness and Response for taking measures to improve protection for the citizens of Texas against unique and emerging infectious diseases and their corresponding outbreaks. TACCHO stands ready to work with the House Committee on Public Health on this critical issue of concern.

TACCHO is a member organization open to the approximately 112 Texas local public health officials leading local public health units, departments and districts from small, rural to large urban jurisdictions. TACCHO members improve the health of Texans and the communities in which they live by detecting and responding to disease threats, thereby protecting and promoting good health practices. TACCHO voiced its concerns to the Senate Committee, and while some concerns were heard, others have yet to be resolved.

In particular, TACCHO strongly supports local control and the Local Health Authority management of public health outbreaks within its communities, including diseases of national significance, using an approach of collective leadership with the corresponding state agencies and other stakeholders. Local public health is concerned that the distinction of an infectious disease identified for a declaration of emergency could be too subjective to individual interpretation, leading to an over-reach of authority into local jurisdictional boundaries. With that in mind, if this bill continues to move forward, TACCHO recommends that current language in the bill which gives “the commissioner of state health services the authority over all state and local public health policy, decisions, procedures and disease control measures necessary to contain the infectious disease emergency”, be restated to read:

“Sec. 418.033. EFFECT OF DECLARATION. (a) An executive order or proclamation declaring a state of infectious disease emergency gives the commissioner of state health services and the local health authority, respectively, the authority for all state and local public health policy, decisions, procedures, and disease control measures necessary to contain the infectious disease emergency. The commissioner shall work in coordination with the local health authority throughout the emergency.”

TACCHO remains available to discuss the established structures of command currently at work in local communities, and provide expertise on maintaining control and response at the local, state and national levels. We are committed to work with the House Committee on this bill and during future infectious disease outbreaks.

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